

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ALFRED LO,) Case No. 2:13-cv-02329-JCM-NJK
Plaintiff(s),)
vs.) ORDER DISCHARGING
VERIZON WIRELESS LLC,) ORDER TO SHOW CAUSE
Defendant(s).) (Docket No. 19)
) ORDER VACATING HEARING
) SET FOR MAY 6, 2014

This matter is before the Court on the order that Patrick Kang show cause why he should not be sanctioned. Docket No. 19. In particular, the Court noted that Mr. Kang has twice certified in other cases that he has read and understands Local Rules 26-4 and 26-1. *See id.* Nonetheless, he submitted a proposed discovery plan in this case that *again* misstates Local Rule 26-4. *See id.*; *see also* Docket No. 17 (proposed discovery plan signed and filed by Mr. Kang). The Court has now received a response. Docket No. 23. As an initial matter, the Court rejects Mr. Kang's assertion that he is absolved in this matter because an associate in his office prepared the deficient proposed discovery plan. *See id.* at 4. Mr. Kang signed the discovery plan and Mr. Kang filed the discovery plan. Docket No. 17. "By presenting to the court a pleading, written motion, or other paper—whether by *signing, filing*, submitting, or later advocating it—an attorney . . . certifies that to the best of the person's knowledge, information, and belief, *formed after an inquiry reasonable under the circumstances*" that the submission is, *inter alia*, making legally justifiable arguments. Fed. R. Civ. P. 11(b) (emphasis added). To the extent Mr. Kang is suggesting that he signs and files documents with this Court without conducting a reasonable review of the contents of those documents, that is highly troubling and inconsistent with his duties under Rule 11.

In light of the multiple occasions in which Mr. Kang has certified to the Court that he understands the Local Rules and in light of his failure to point to any reasonable justification for his failure to properly state Local Rule 26-4 in this case, Mr. Kang's participation in this case falls well below the standard of practice expected by the Court. Nonetheless, the Court will provide one final warning that Mr. Kang must strictly comply with the Local Rules in the future. Mr. Kang should expect that similar future violations will result in monetary sanctions. The Order to Show Cause is hereby **DISCHARGED**.

In light of the above, the Court further **VACATES** the hearing set for May 6, 2014, at 2:00 p.m. in Courtroom 3A.

IT IS SO ORDERED.

DATED: April 24, 2014

~~NANCY J. KOPPE
United States Magistrate Judge~~